

PATENT
BRENDA 5

Applicant requests that the Patent Office amend the application transmittal letter and Filing Receipt to omit the priority claims. A copy of the Filing Receipt is attached, with requested changes indicated in red ink.

No fee is seen to be due for this Preliminary Amendment.

The Patent Office is invited to contact the undersigned to discuss any issues relating to this application.

Respectfully submitted,

Date: June 20, 2001

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changes made by this Amendment

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1 **AUTOMATED ALTERNATIVE DISPUTE RESOLUTION**

2 This is a continuation-in-part application of co-pending application serial no. 09/501,197,
3 filed February 10, 2000, having a common inventor herewith.

4 **BACKGROUND OF THE INVENTION**

5 The present invention relates to dispute resolution, and more particularly, is directed to
6 using a communication network to assist parties in resolving an electronic commerce dispute and
7 automatically leaving comments to promote participation in and compliance with the automated
8 dispute resolution.

9 When parties to a transaction are no longer in agreement relating to the transaction, they
10 are having a dispute. Conventional methods for dispute resolution are laborious, often involving
11 not only a tangible result, such as a transfer of funds, but also involving an emotional result, such
12 as face-saving. Additionally, even after the parties resolve their conflict, one or more may fail to
13 perform as agreed, creating an enforcement problem.

14 Electronic commerce (e-commerce) generally refers to buying and selling of goods
15 and/or services using a communication network such as the Internet. Additional issues presented
16 by a dispute relating to an e-commerce transaction include jurisdictional and venue questions,
17 choice of law, and lack of relationship motivation. Relationship motivation refers to the well
18 known guideline that parties who expect to have to deal with each other after a dispute is
19 resolved tend to be more flexible and reasonable during the dispute resolution process, whereas
20 parties that can avoid each other after the dispute resolution tend to present more polarized
21 positions during the dispute resolution process.

22 When an e-commerce transaction involves a consumer purchasing from a merchant, there
23 are additional considerations: the monetary value of the transaction is often quite small, and the

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AUTOMATED ALTERNATIVE DISPUTE RESOLUTION

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When parties to a transaction are no longer in agreement relating to the transaction, they are having a dispute. Conventional methods for dispute resolution are laborious, often involving not only a tangible result, such as a transfer of funds, but also involving an emotional result, such as face-saving. Additionally, even after the parties resolve their conflict, one or more may fail to perform as agreed, creating an enforcement problem.

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Electronic commerce (e-commerce) generally refers to buying and selling of goods and/or services using a communication network such as the Internet. Additional issues presented by a dispute relating to an e-commerce transaction include jurisdictional and venue questions, choice of law, and lack of relationship motivation. Relationship motivation refers to the well known guideline that parties who expect to have to deal with each other after a dispute is resolved tend to be more flexible and reasonable during the dispute resolution process, whereas parties that can avoid each other after the dispute resolution tend to present more polarized positions during the dispute resolution process.

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When an e-commerce transaction involves a consumer purchasing from a merchant, there are additional considerations: the monetary value of the transaction is often quite small, and the